

Notice of Allowability

Application No.

09/915,174

Applicant(s)

NASH-PUTNAM, JON

Examiner

Ronald Baum

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/26/06.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

NASSER MOAZZAMI
PRIMARY EXAMINER

[Signature]
8,9,06

DETAILED ACTION

Examiner's Statement of Reasons for Allowance

1. Claims 1-20 are allowed over prior art.
2. This action is in reply to applicant's correspondence of 22 May 2006, and subsequent appeal conference proceedings of 02 August 2006.
3. The following is an examiner's statement of reasons for the indication of allowable claimed subject matter.
4. As per claims 1,7 and 15 generally, prior art of record, Wolfgang et al, U.S. Patent 6,625,295 B1, fails to teach alone, or in combination, other than via hindsight, at the time of the invention, the features as discussed and remarked upon in the response of 5/22/2006 to office action of 11/22/2005.

Specifically, (as per claim 1, for example) prior art dealing with embedded digital data (i.e., "microthread data") generally, and more specifically, watermarking technology as applied to multimedia content authentication, protection and authorization as typically applied to 'fixed' content (i.e., DVD/CD content versus data stream/real time digital audio/video content), is generally known to exist per se, (i.e., Memon, N., et al, 'A Buyer-Seller Watermarking Protocol', IEEE Signal Processing Society 1998 Workshop on Multimedia Signal Processing, December 7-9, 1998, Los Angeles, California, USA Electronic Proceedings © 1998 IEEE , <http://www.tsi.enst.fr/~maitre/tatouage/mmmsp98/355/index.htm>).

Nowhere in the prior art is found collectively the *italicized* claim elements (i.e., the real time camouflaging of microthread data as a function of the use of the carrier data (i.e., the content) forming a composite data sequence in real time for subsequent transmission), at the time of the invention; serving to patently distinguish the invention from said prior art;

“1. A system for the *insertion of microthread data in transmitted data* comprising:
a digital content system providing carrier data; and
a microthread insertion system coupled to the digital content system,
the *microthread insertion system generating*
a *composite data sequence in real time for transmission* that includes
the carrier data and
the microthread data;
wherein the *microthread data is*
camouflaged in real time in the composite data sequence using the carrier
data.”.

5. Dependent claims 2-6,8-14 and 16-20 are allowable by virtue of their dependencies.

Conclusion

6. Any inquiry concerning this communication or earlier communications from examiner should be directed to Ronald Baum, whose telephone number is (571) 272-3861, and whose unofficial Fax number is (571) 273-3861 and unofficial email is Ronald.baum@uspto.gov. The examiner can normally be reached Monday through Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami, can be reached at (571) 272-4195. The Fax number for the organization where this application is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. For more information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**NASSER MOAZZAMI
PRIMARY EXAMINER**


8/3/06

Ronald Baum

Patent Examiner

